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11 Attorneys for Defendant, COSTCO WHOLESALE
12 CORPORATION

13
14 UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

16 ISABEL TOLEDO

17 Plaintiffs,

18 v.

19 COSTCO WHOLSALE CORPORATION
20 and DOES 1 through 20, inclusive,

21 Defendants.

22 Case No. 2:24-CV-02089-TLN-JDP

23 **STIPULATION RE: PHYSICAL
24 EXAMINATION OF PLAINTIFF ISABEL
TOLEDO; ORDER**

25 Complaint filed: May 2, 2024

26 Trial date: N/A.

27 Plaintiff ISABEL TOLEDO (“Plaintiff”) and Defendant COSTCO WHOLESALE
28 CORPORATION (“Defendant”) agree and stipulate that Plaintiff shall submit to a physical
examination pursuant to Federal Rules of Civil Procedure, Rule 35:

1. A controversy exists regarding the physical condition of Plaintiff and good cause
exists for a physical examination of Plaintiff.

2. The examination will be conducted for the purpose of determining the nature and
extent of Plaintiff’s physical injuries.

3. The scope of the examination will be the physical injuries at issue in litigation,
including, but not limited to, neck. Shoulders, arms, hands, both knees and back.

4. The physical examination will be conducted by Kee Kim MD — the independent
medical exam physician retained by Defendant. Attached to this stipulation as **Exhibit A** is a true

1 and correct copy of Dr. Kim's Curriculum Vitae setting forth his qualifications and background.

2 5. The date and time for the physical examination will be March 18, 2025, at 3:00 pm.

3 6. The location for the examination is: 3301 C Street #1500, Sacramento, California.

4 7. Dr. Kim's contact information is: Cheryl Williams (541) 601-0091 and Fax: (916)
5 703-5368.

6 8. It is further stipulated that Defendant will be responsible for the fees associated
7 with this examination.

8 9. However, Plaintiff agrees to reasonably comply with Dr. Kim's cancellation policy
9 and must advise Defendant if she is unable to attend the examination at least five business days
10 before the examination.

11 Dated: March 4, 2025

LAW OFFICES OF W. RUSSEL FIELDS

12 By: /s/
13 RUSSEL FIELDS
14 Attorney for Plaintiff TOLEDO

15 Dated: February 19, 2025

MATHENY SEARS LINKERT & JAIME LLP

16 By: /s/
17 MATTHEW C. JAIME, ESQ.
18 Attorney for Defendant COSTCO
19 WHOLESALE CORPORATION

ORDER

Pursuant to Plaintiff and Defendant's STIPULATION RE: PHYSICAL EXAMINATION OF PLAINTIFF ISABEL TOLEDO and for good cause shown, the above STIPULATION RE: PHYSICAL EXAMINATION OF PLAINTIFF ISABEL TOLEDO is accepted, adopted, and made the Order of the Court.

IT IS SO ORDERED.

Dated: March 5, 2025

Troy L. Nunley
Chief United States District Judge

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